

Report to Portfolio Holder for Public Protection

Subject: Increasing the Fixed Penalty Notice Charge for Littering and Dog Fouling to £65.00.

Date: 30 April 2019

Author: Service Manager – Public Protection

Wards Affected

All Wards

Purpose

To seek approval to Increase the Fixed Penalty Notice Charge for Littering and Dog Fouling from £50.00 to £65.00.

Key Decision

This is not a Key Decision.

Recommendation(s)

THAT:

- 1) Authorisation is given to increase of the Fixed Penalty Notice Charge for Littering and Dog Fouling from £50.00 to £65.00.**

Background

- 1.1 Section 88 of the Environmental Protection Act 1990 allows Councils' to set the level of fixed penalty notices (FPN) for littering and dog fouling up to a maximum of £75.00, currently the FPN is set at £50.00 in Gedling and has been unchanged since 2001, this is the lowest FPN amount proscribed by the act.

- 1.2 As of April 1st 2019 The Environmental Offences (Fixed Penalties) (England Regulations) 2017 increases the minimum full charge from £50.00 to £65.00 for FPN's issued for litter and dog fouling offences

Proposal

- 2 It is proposed that the Portfolio Holder authorises the increase of the Fixed Penalty Notice Charge for Littering and Dog Fouling from £50.00 to £65.00.

Alternative Options

- 3 To not increase the charge, this would however not meet the statutory minimum charge and would mean that the issuing of FPNs at £50.00 would be unlawful.

Financial Implications

- 4 There will be an additional income to the council of approximately £1,500 per annum.

Appendices

- 5 None.

Background Papers

- 6 None.

Reasons for Recommendations

- 7 To ensure that the level of the fixed penalty notice for littering and dog fouling meets the requirements of The Environmental Offences (Fixed Penalties) (England Regulations) 2017 .